



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII  
901 NORTH 5TH STREET  
KANSAS CITY, KANSAS 66101

11 FEB 2002

Scott Totten, Director  
Division of Environmental Quality  
Missouri Department of Natural Resources  
P.O. Box 176  
Jefferson City, MO 65102

Dear Mr. Totten:

Re: Approval of the Muddy Creek and Brushy Creek TMDLs submitted by Missouri

Thank you for the submission dated December 27, 2001 requesting approval of the Brushy Creek and Muddy Creek total maximum daily loads (TMDLs) under §303(d) of the Clean Water Act. The document submitted contains four TMDLs. The impairments in Brushy Creek are due to biological oxygen demand, ammonia, and non-filterable residue. The impairment in Muddy Creek is due to biological oxygen demand. The impairments in both creeks were a result of the discharge from one wastewater treatment facility. We have completed our review of these TMDLs with supporting documentation and information, as submitted by your office and in accordance with §303(d) of the Clean Water Act (33 U.S.C. 1251 et seq.), we approve all aspects of these TMDLs.

Enclosed is an EPA Region 7 Review Form which summarizes the rationale for EPA's approval of these TMDLs. The EPA believes the separate elements of the TMDLs described in the enclosed form adequately address the pollutants of concern, taking into consideration seasonal variation and a margin of safety.

EPA is currently in consultation under Section 7 of the Endangered Species Act with the U.S. Fish and Wildlife Service (USFWS) regarding these TMDLs. While EPA is approving these TMDLs at the present time, EPA may decide that changes to the TMDLs are warranted based upon the results of the consultation when it is completed. However, because the phased approach is used in these TMDLs, USFWS will also have future opportunities to review any revisions to the TMDLs based on phase 2 recommendations.

EPA appreciates the partnering effort that Missouri has put forth in the development of these TMDLs and will continue to cooperate with and assist, as appropriate, in future efforts by Missouri to develop the remaining TMDLs on the current Missouri §303(d) list of impaired water bodies

Sincerely,

A handwritten signature in black ink, appearing to read "U. Gale Hutton", with a stylized, flowing script.

U. Gale Hutton  
Director  
Water, Wetlands, and Pesticides Division

Enclosure

cc: Sharon Clifford, Mo Dept of Natural Resources TMDL Coordinator, Jefferson City, MO  
Mark Wilson, Field Supervisor, USFWS, Columbia, MO